

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI**

RONALD TUSSEY, <i>et al.</i> ,	)	
	)	
Plaintiffs;	)	
	)	
v.	)	Case No. 06-04305-CV-C-NKL
	)	
ABB, INC., <i>et al.</i> ,	)	
	)	
Defendants.	)	

**NOTICE OF SUBSEQUENT PROCEDURAL HISTORY**

The Seventh Circuit Court of Appeals issued an opinion in *George et al. v. Kraft Foods Global, Inc. et al.*, on April 11, 2011, which affirmed in part and reversed in part the District Court's grant of summary judgment. *George et al. v. Kraft Foods Global, Inc. et al.*, \_\_ F.3d \_\_, No. 10-1469 slip op. (7th Cir. April 11, 2011), reh'g en banc denied, No. 10-1469 Doc. 33 (May 26, 2011). A copy of the slip opinion is attached hereto.

Respectfully Submitted,

SCHLICHTER, BOGARD & DENTON

By: /s/ Troy A. Doles  
Jerome J. Schlichter  
Heather Lea  
Troy A. Doles  
100 S. Fourth Street, Suite 900  
St. Louis, Missouri 63102  
(314) 621-6115  
(314) 621-7151 (Fax)  
jschlichter@uselaws.com  
tdoles@uselaws.com  
hleas@uselaws.com

ATTORNEYS FOR PLAINTIFFS/  
CLASS REPRESENTATIVES  
*Ron Tussey, Charles Fisher, and Timothy  
Pinnell*

**CERTIFICATE OF SERVICE**

I hereby certify that on June 9, 2011 I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the following:

Adam B. Walker, Azeez Hayne, Brian Boyle, Brian T. Ortelere, Catherine A. Cugell, Charles Lee Jolley, Gregory C. Braden, Henry D. Fellows, Jr., James O. Fleckner, James S. Dittmar, Jeffrey A. Strgeon, Jeffrey S. Russell, Michael J. Nester, Richard N. Bien, Robert N. Eccles, Shannon Barrett, Stephen D. Brody, Thomas E. Wack, William J. Delany.

\_\_\_\_\_/s/ Troy A. Doles